



Town of Lamoine, Maine
Road Commissioner – Stu Marckoon
606 Douglas Hwy.
Lamoine, ME 04605
207-667-2242 – FAX 667-0572
e-mail town@lamoine-me.gov
website www.lamoine-me.gov

August 22, 2014

Mr. Barry Balach
7 Lorimer Rd.
Lamoine, ME 04605

Dear Mr. Balach,

I am advised that the Lamoine Planning Board has issued a waiver to allow a 2nd entrance onto Lorimer Road. This letter will serve to reverse the action taken by Code Enforcement Officer Michael Jordan rescinding the previously issued road opening permit onto your lot. The previously issued permit shall stand as approved.

Sincerely,

A handwritten signature in black ink, appearing to read "Stu Marckoon", is written over a horizontal line.

Stu Marckoon, Road Commissioner

SM:me
Cc: M. Jordan, File

From Planning Board Minutes – August 13, 2014:

New Business

a. Waiver requests for Road Opening Permits for multiple entrances.

i. Barry Balach (7 Lorimer Rd, Map 16 Lot 26-1)

Folwer recused himself from this matter as he has performed work for the applicant.

Legere will stand in.

Mr. Balach has already constructed a second entrance, having been issued a second Road Opening Permit in error by the Road Commissioner. Mr. Balach explained that he needed the second opening in order to install a culvert to allow him to store his boats, coach, and other vehicles in a u-shaped drive.

The Board discussed criteria used by the Maine Department of Transportation (Chapter 299) in making decisions of this sort. (Lamoine's Building and Land Use Ordinance requires that the town follow the state's procedures.) The major issue in approving a second entrance is safety; state guidelines require that second entrances be placed further from a first entrance if the speed limit on the approach road is higher. Holt read from the state regulations and noted that if the speed limit on the road is under 35 mph, there is no minimum separation distance between the two entrances. If the speed limit is 45, the minimum separation is 265 feet.

There is no speed limit on Lorimer Rd, but it is gravel and is not a through road. Tadema-Wielandt asked how many times each day the applicant turned off Lorimer Road onto the second entrance. Balach answered, two or three times. The lines of sight from both entrances are acceptable.

Donaldson (Legere) moved to waive the single-entrance requirement for this property.

Approved 5-0.

Road Commissioner Notes:

The Planning Board waiver contains no conditions. The permit was previously granted, the driveway is already installed and meets site distance and drainage requirements. No further action required.

Signed,



Stuart Marckoon, Road Commissioner



COPY

(207) 667-2242

July 29, 2014

Town of Lamoine
Michael Jordan, Code Enforcement Officer
606 Douglas Hwy
Lamoine, ME 04605

Mr. Barry Balach
7 Lorimer Road
Lamoine, ME 04605

Dear Mr. Balach,

The Town of Lamoine has received a complaint regarding the road entrance that was granted a permit on July 2, 2014 by the Road Commissioner. The Lamoine Building and Land Use Ordinance states: *"A Lamoine Entry Permit is required from the Lamoine CEO or Road Commissioner prior to establishing access onto a public roadway in the Town of Lamoine except in cases where a State Entry Permit is required for a state road. Any access shall conform to Chapter 299 of the Maine Department of Transportation Highway, Driveway and Entrance Rules Part A Sections 1 & 2 and Part B Sections 1 & 2 and any subsequent revisions. Each lot shall be accessed by no more than one curb cut unless a waiver is granted by the Planning Board.*

The Road Commissioner advises me that he was unaware of this requirement when he issued the permit. We must therefore revoke the entrance permit that was issued (which was an after the fact permit). We will submit this application to the Lamoine Planning Board (along with a copy of this letter) as a new business item on the agenda for August 13, 2014. The Planning Board meets at 7PM – the location will be either at the Lamoine Town Hall or the Lamoine School – please consult with the town office at the above phone number prior to the meeting.

We apologize for issuing the permit in error.

Sincerely,

Michael Jordan, Code Enforcement Officer

mjj:sem
cc: File

Town of Lamoine
Road Opening Permit

Permit Number	Lorimer-0114	Application #	Lorimer-0114
Date Issued	7/2/14	Road Name	Lorimer Road
Name	Barry Balach	Map & Lot	M16 Lot 26-1
Mailing Address	7 Lorimer Rd	Physical Address	5 Lorimer Rd.
		Culvert Size	15" x 20'
City, State, Zip	Lamoine, ME	04605	

You are hereby granted permission to perform the necessary grading and to construct in accordance with the attached plan 1 entrance to a future residence subject to any rules & regulations made by the Town of Lamoine or its Board of Selectmen, subject to the following conditions:

1. This is an after the fact permit. Culvert already installed is adequate. There is adequate site distance at the entrance for entering and exiting traffic. The entrance serves a parking area for a large recreational vehicle.
2. This permit does NOT imply that this RV may be used as a dwelling unit. All such uses must comply with the Lamoine Land Use Ordinance and would require a permit from the Code Enforcement Officer

THIS PERMIT IS GRANTED ON CONDITION THAT THE APPLICANT:

1. Shall construct and maintain driveway in accordance with Town of Lamoine rules and regulations and with the attached sketch
2. Shall pay for any culverts and /or other drainage structure which may be necessary for drainage, the size, type and length of culverts and size and type of other incidental structures to be as recommended by the Town of Lamoine.
3. Applicant agrees to pay any and all damages and hold the Town of Lamoine harmless from all suits, claims, damages and proceedings resulting from this permit!

Signed *Stuart Marchion SM*

Title: Road Commissioner

Application
Number LORIMER-014

Town of Lamoine
Application for Local Road Entrance

Return to:
Lamoine Town Hall
606 Douglas Highway
Lamoine, ME 04605

Owner Information

Name: BARRY BALACH
Street: 7 LORIMER RD
Mailing Address: LAMOINE,
ME 04605
Telephone: 813-784-9701

In accordance with the Town of Lamoine Building & Land Use Code, application is hereby made to construct an entrance to my property on the (North)(South)(East)(West) side of LORIMER RD in the Town of Lamoine, County of Hancock, at a

(insert road name)
point approximately 25 feet (North)(South)(East)(West) from UTILITY POLE # 387 for the following purpose:
(insert landmark, town line, utility pole, road, other)

☒ RESIDENTIAL ☐ COMMERCIAL ☐ DEVELOPMENT ☐ OTHER

(If other, please describe: for. Parking)

The following is information in regard to the location and requested entrance(s):

1. Frontage of lot along road 365 feet.
2. Depth of lot _____ feet.
3. Number of Entrances requested 1
4. Proposed width of entrances 30 feet.
5. Setback from center of public road: (A) to Buildings None (B) Other structures _____
6. The surface of the driveway is proposed to be stone
7. Construction desired to commence on 11/2013 and completed on 11/2013 (show dates)
8. Is this entrance part of a project/development requiring a DEP Site Location Permit? YES NO

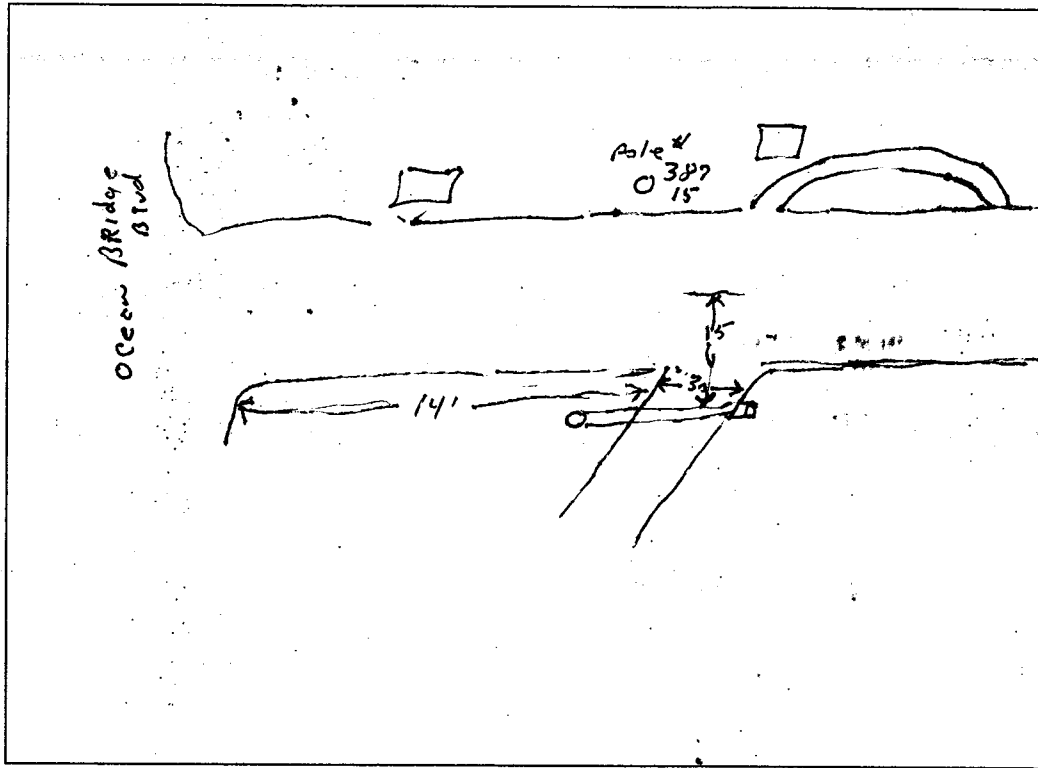
THE OWNER HEREBY AGREES:

- (1) To provide, erect and maintain all necessary barricades, lights, warning signs and other devices to safeguard traffic properly while work is in progress.
- (2) That the highway will at no time be closed to traffic.
- (3) Where the drive is located in curb, curb and gutter, and/or sidewalk section, the owner will completely remove the existing curb and gutter and/or sidewalk and replace it with a standard concrete or granite driveway terminal section.
- (4) Shall obtain and have delivered to the site any culverts and/or drainage structures which may be necessary for drainage, the size, type and length as called for in the permit. Said culverts and/or other incidentals to be installed by owner, subject to inspection by Code Enforcement Officer or Road Commissioner.
- (5) Notify the Lamoine Town Office (667-2242) 24 hours before starting work on driveway entrance.
- (6) Will construct and maintain said driveway approach in accordance with MDOT rules & regulations.

FURTHER CONDITIONS OF THE PERMIT

The owner shall well and truly pay all damages, fines, and penalties for which they shall become liable, and shall indemnify and save harmless the Town of Lamoine against all suits, claims, damages, and proceedings of every kinds arising out of the construction and maintenance of said driveway approach, including snow removal. (*Signature and sketch required on back of this form*)

(Show description from town line, road intersection or other landmark, including pertinent distances and measurements)



To the best of my knowledge, the above application represents a depiction of what the proposed road entrance will look like if completed.

Signature _____

Date _____

6-26-14

This application should be forwarded to the Lamoine Road Commissioner, Lamoine Town Hall, 606 Douglas Highway, Lamoine, ME 04605

Office Use Only

Application Received on: 6/27/17

Reviewed by: Mina 6/30/17

Address Assigned 214

Permit was: ☒ issued ☐ denied

Commissioner, Lamoine Town Hall, 606

Culvert already installed
No Address needed
Site Dist OK